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COMMUNITY RELATIONS PLAN

LEES LANE LANDFILL
LOUISVILLE
JEFFERSON COUNTY, KENTUCKY

EPA WORK ASSIGNMENT NUMBER 12.4V43.0

NUS PROJECT NUMBER 0718.23

SEPTEMBER 1983



Park West Two Cliff Mine Road Pittsburgh, PA 15275 412-788-1080

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1.0 INTRODUCTION

This Community Relations Plan (CRP) has been developed to accompany remedial activities now being planned for the Lees Lane Landfill Site. The purpose of this CRP is to encourage constructive interaction and meaningful two-way communications between the agencies conducting remedial actions and the community affected by the site. Functioning as a dynamic document, this plan should be updated as the project develops and the community's concerns are reassessed.

Information for this plan was obtained from U. S. Environmental Protection Agency (EPA) and State of Kentucky files, as well as from onsite discussions conducted with local officials and concerned citizens in September of 1983. All onsite discussions were conducted in cooperation with the State of Kentucky Department of Natural Resources and Environmental Protection (KYDNREP). Individuals contacted for information are included in the list of interested parties in Section 8.0 of this report.

This CRP will first outline the history of the Lees Lane Landfill and the associated community relations. Issues and concerns of the community will then be discussed. The objectives of this plan and the techniques recommended to meet these objectives are stated, after which a proposed schedule and estimated budget are provided. A list of groups and individuals who are interested in activities associated with the site concludes this CRP.

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2.0 BACKGROUND AND COMMUNITY RELATIONS HISTORY

Lees Lane Landfill is located along the Ohio River in Jefferson County, Kentucky, approximately 4.4 miles southwest of Louisville, Kentucky. Comprised of three tracts of land, the site is approximately 125 acres in size and is bordered by a flood protection levee built and maintained by the Army Corps of Engineers.

Land use in the area is mixed industrial and residential. The Riverside Gardens housing development, located adjacent to the landfill, is separated from the site by the earthen flood protection levee. Over one thousand residents are estimated to live in Riverside Gardens. While municipal water is available in the area, some residents use private wells for domestic water supplies. Overall, approximately 1,470 people are estimated to live within a one-mile radius of the site. Chemical manufacturers are located northeast of the site; Louisville Gas and Electric operates a power plant south of the site.

Being located along the Ohio River, the landfill is occasionally subject to flooding during periods of high water. Erosion along the river bank appears to be occurring.

2.1 Site History

Lees Lane Landfill is comprised of three tracts of land. All three tracts were owned by Joseph C. Hofgesang. The title to the southern tract was held by Gernert Court, Inc. which later changed its name to the Jos. C. Hofgesang Sand Company, Inc. The sand company operated the landfill until the operating permit expired in November 1974, at which time J. H. Realty, Inc. acquired the southern tract of land. J. H. Realty is the current owner of the southern tract. After Mr. Hofgesang's death in 1972, ownership of the northern and central tracts were transferred to the Hofgesang Foundation, Inc.

Prior to its use as a landfill, the site was a sand and gravel quarry operated by the Hofgesang Company. Beginning in 1948, the site began receiving wastes from domestic, commercial, and industrial sources. Historical records indicate that

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approximately 212,400 tons of industrial waste were disposed of at Lees Lane Landfill. These wastes were reported to be both solids and liquids. An unknown quantity of municipal solid waste was also deposited at the site. Samples collected in 1980 from drums located along the Ohio River Bank indicated that 51 different organic compounds were present, as well as high concentrations of copper, cadmium, nickel, lead, and chromium. Benzene, phenol, and their ethylated derivatives were also identified. Sampling data also indicate the presence of methane and vinyl chloride gases at the site.

The operating permit for Lees Lane Landfill expired in November 1974. However, operations continued until the spring of 1975, when methane gas migrating from the landfill forced seven families to evacuate their homes. In April of 1975, the landfill was finally forced to close. After an extensive investigation of the problem, the county installed a gas venting system in October 1980 to alleviate the methane problem. This system appears to have successfully resolved the problems from methane gas migration.

A second incident occurred in the spring of 1980. Approximately 400 55-gallon drums containing hazardous materials were discovered 40 yards from the Ohio River. Concern existed that rising flood waters could carry the drums into the Ohio River, creating a public health problem. Continued efforts by the KYDNREP finally resulted in the owner of the property being ordered by the courts to remove the drums. The drums were removed in October of 1981.

Investigations at the site have continued, with monitoring wells installed by the State in late 1980, and by EPA contractors in July of 1983. In 1982, resistivity and magnetometer surveys were conducted, and samples of leachate and sediment were taken. Additional studies are planned.

2.2 Community Relations History

The history of community relations at the Lees Lane Landfill has been centered primarily on the Riverside Gardens housing development. This neighborhood,

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originating from farms and summer camps located along the river, is comprised of 330 homes which provide housing for moderate income families. The development is described by the Jefferson County Planning Commission as, "a quiet, well-maintained neighborhood of about 1,100 people." Citizens living within Riverside Gardens report that the community is very stable, with a very low turnover of residents. Those who move to Riverside Gardens tend to stay and attract other family members to the area.

Riverside Gardens has an active citizens organization: the Riverside Gardens Community Council. This group, headed by Jo Anne Schlatter, has spearheaded community development efforts for the neighborhood. Organized in 1969, they have successfully obtained funding for several projects including the paving of roads, the development of a park, and the improvement of area drainage. This organization also led efforts to close the Lees Lane Landfill.

Citizens interviewed for this CRP stated that chemical dumping at the landfill was an ongoing operation from the late 1950s. Residents stated that tanker trucks identified with chemical companies located north of the landfill would enter the site and pump their contents into the landfill. Fumes from materials discharged into the landfill were reported by residents to cause dizziness, headaches, and nausea to those who came in contact with these fumes.

Operational problems at the landfill became worse in the 1960s. The first official complaint was filed with the county in 1964, after which, complaints from residents of Riverside Gardens were filed frequently. Fires, lack of proper cover, excavation of the flood wall, open dumping, chemical dumping, and foul odors were all cited in complaints filed with the Jefferson County Health Department.

However, the most serious concern for area residents in the 1960s and early 1970s was the "midnight dumping" which they reported was occurring continually. Citizens who were interviewed reported that surveillances were organized by nearby residents who would attempt to get evidence of chemical dumping and the license plate numbers of those who were responsible. One family reported that a

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member of their family had been shot at when he was sent to investigate what trucks were doing in the landfill at night.

The efforts to close the landfill culminated in 1974 with a revocation hearing on the permit to operate the Lees Lane Landfill. Details of this hearing were not entirely clear from the materials reviewed and the interviews conducted. Citizens and the Fire Chief of Dreamland, an adjacent community, reportedly provided testimony against the operation. Citizens reported that testimony from the weigh station attendants at the landfill would have established that illegal wastes were allowed to be dumped at the site. However, citizens reported these witnesses were not allowed to testify at the hearing. Citizens who were interviewed felt that the failure of the hearing to allow this testimony, and the discourteous manner in which citizens were handled while giving their testimony was evidence of corruption. However, despite these allegations, the permit to operate Lees Lane Landfill expired November 16, 1974 and was not renewed.

Operations at the landfill continued without a permit until the spring of 1975, when methane gas began entering homes located adjacent to the landfill. A series of explosive flash fires from gases ignited by hot water heaters led to an investigation of the problem. Methane gas at explosive concentrations was detected in seven homes at the southern end of Putnam Avenue. While newspapers reported that eight families had to be evacuated form their homes, the county officials indicate that seven families were relocated. Much media attention focused on the situation.

The Lees Lane Landfill Advisory Committee, comprised of state and county officials, was organized in 1975 to investigate the methane gas problem. This committee ultimately determined that the gas was being emitted from the landfill. The families who had been evacuated were permanently relocated by the county government. Four of the seven families had owned their homes. All seven homes were demolished. In addition, all excavation within 1500 feet of the landfill was restricted.

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During the next five years, a high level of uncertainity over the problem and the future of the community led to a very high level of community concern. Citizens reported that after the initial discovery of methane gas at the south end of Putnam Avenue, other residents living adjacent to the landfill were afraid that their homes were in danger as well. Some of these residents felt the county should buy their homes too. Problems were aggravated by a community development study issued in 1977 which stated that before any development occurred in Riverside Gardens, the methane gas problem had to be resolved. This virtually eliminated any community improvements in the neighborhood until a solution to the gas problem could be reached. Obtaining bank loans for home improvements or mortgages became difficult; the county would not authorize funds by community development. Residences reported that the quality of life in the neighborhood seriously declined during this time.

This situation led to the formation the following year of the Lees Lane Landfill Methane Gas Task Force, headed by Ed Robinson of the Jefferson County Department of Public Works. This task force was charged by the county with investigating the potential solutions to the gas problem and designing an appropriate response. Their work ultimately resulted in the installation of the venting system in 1980. This system is still operating.

County officials who were interviewed in the development of this CRP stated that the task force also examined methods to fund the installation of the venting system. Attempts were made by the county to develop a legal case against the owners of the landfill. EPA became involved with the case and attempted to establish the landfill as an "imminent hazard" to the community. However, the evidence obtained was insufficient to establish this case, and it was never filed. County officials now feel that this may have weakened their position and caused the financial burden to be placed unjustly on the county instead of the landfill owners. Associated with this perception was a concern from local officials over an EPA 201 water study which failed to establish a need for a municipal sewage system for Riverside Gardens and the surrounding area. Officials voiced some

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skepticism over why EPA was unable to provide assistance when methane gas was a problem, but now that methane gas is being vented, EPA is able to get involved.

Another event which focused media attention on the site occurred in the spring of 1980. Hunters in the area of Lees Lane Landfill discovered approximately 400 55-gallon drums along the Ohio River bank which had been uncovered as a result of erosion. Flood conditions on the Ohio River caused concern over the hazard these drums might cause if the river continued to rise and washed the drums into the Ohio River. An order to abate and alleviate conditions involving the barrels was issued by the KYDNREP to the owner of the landfill to remove the drums. The owner finally complied in October of 1981.

While community concern at the site can now be characterized as moderate, or perhaps dormant, community awareness of the site should be considered very high. Monthly monitoring of emissions from the monitoring wells is being conducted by the County Health Department. The County Department of Public Works is maintaining the gas venting system. For now, the methane gas problem appears to be resolved. Because concern in the past has been extremely high, any problems or actions which occur in the future could easily revive this high level of concern. The Riverside Gardens Community Council is actively monitoring all developments at the landfill. This organization appears to have a high level of credibility among the citizens and the public officials involved with the site.

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3.0 ISSUES AND CONCERNS

The most immediate concern over the site centers on the methane gas problem. Citizens would like to know if the problem has been permanently solved or whether they may be threatened once again. Concern was voiced by citizens that strict requirements on the type of piping used to install septic tanks is an indication that there is still a problem in the neighborhood. In addition, citizens have received reports that the methane levels from the monitoring wells have been zero. Residents stated that they would like to know what the implications are of these reports. Related to this immediate concern, citizens would like to know if air emissions from vented gas pose a health threat to the community. Some uncertainty exists that residents living near the north side of the landfill may also be in danger since they actually live closer to the landfill than those who live near the south side. The methane gas problem does appear to be solved at the present time. However, as one public official stated, "people are generally satisfied (with the solution) -but not complacent."

Another concern related to the methane problem was expressed by local officials: will EPA fund a long-term monitoring and gas venting system? Local officials stated that the current system could be upgraded with high grade wells replacing the present wells. Funding and maintenance of such a system is of concern of local officials.

Other concerns voiced by citizens and local officials include the potential for groundwater contamination. Some area residents are still being supplied with domestic water supplies from private wells. Two reasons were cited by citizens for some residents continuing to use their private wells: the better taste of the water and the expense of hooking into the Louisville Water Company municipal system which is available to area residents. Another occurrence which may or may not be related to the concern over groundwater is the fluctuation of the amount of waste in septic tank pits. A report was received that septic pits have become full for no apparent reason during dry weather. After a period of time, these pits return to their normal level.

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The potential for contamination of the Ohio River is another concern which has been voiced. Seeps and erosion into the river are thought to present a threat to the river and those who use its water.

A major concern which was expressed is over the uncertainty of what contaminants may be in the landfill and what effect these contaminants could have on the community. Access to the site is generally open. Gates at the entrance roads are open and the access road to the U. S. Army Corps of Engineers' pumping station on Mill Creek is an easy entry point into the landfill. In addition, children have reportedly used the north side of the landfill as a playground, digging tunnels in the dirt. Hunters are reported to use the site regularly. Illegal open dumping of trash is also a common occurrence at the site. Citizens are concerned that contaminants present on the site could pose a potential health threat to those who enter the landfill. Dogs in the neighborhood have been reported to become very ill when allowed to roam into the landfill. Some pets have had to be put to sleep. Concern exists over the potential threat chemicals migrating offsite may present to human health. Runoff from the site and occasional flooding could aggrevate this concern over contaminants located in the landfill

Another point which was mentioned by some officials was the need to keep public officials up-to-date on site activities and the plans that EPA is developing. Local officials stated they are often asked questions by the public which they are unable to answer because of a lack of information on the project. These officials requested that EPA keep them informed of all site-related activities.

Two issues are likely to emerge as remedial activities proceed. The first issue will be over the future of the land at the Lees Lane Landfill. Will it ever be used as a dump again? Can it be developed? Can the access to the river be restored? Will the community ever be able to use the land? These were all questions which were asked by officials and citizens. Some members of the community were concerned that the landfill could still be a deterrent to developing the neighborhood. One official also felt strongly that if the taxpayers are going to have to pay to cleanup the site, the property should belong to the citizens and not the current owner.

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The second issue which could emerge is over the role of Superfund to pay for both past and future cleanup costs. The county would like to recoup some of its expenses for installing the current venting system. In addition, concern over how maintenance of a long-term venting system will be funded troubles local officials. Related to this is the frustration of local officials that EPA failed to provide them monetary assistance when homes were "exploding;" but now that the immediate problem has been resolved, EPA is spending money on the investigation of an undefined problem.

Another issue which emerged in this investigation was speculation by many people that the Lees Lane Landfill had been left to the Catholic Church upon Mr. Hofgesang's death. This was found to be incorrect. In fact, the property is now owned by the J. H. Realty Company and the Hofgesang Foundation, Inc. Further investigation revealed that the profits of the Hofgesang Foundation, Inc., a private non-profit corporation, are distributed to a variety of charities. One of these charities is Bellarmine College which is a local Catholic institution. There is no indication that the deed to Lees Lane Landfill has been willed to the Catholic Church of Louisville.

In summary, while community concern at the site appears to be only moderate, community awareness of the site can be characterized as high. Any future activities or problems are likely to attract significant attention. The community has a well organized citizens' group which can effectively represent their interests. Coordination of activities with the Riverside Gardens Community Council is likely to enhance the projects development.

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4.0 COMMUNITY RELATIONS OBJECTIVES

The following objectives are recommended to encourage constructive public interaction and to establish meaningful two-way communications between the community and the responding agencies.

- To establish a positive working relationship with the Riverside Gardens Community Council and the Toxic Substances Task Force of Jefferson County.
- To assure that citizens are provided with accurate and complete information in a timely manner on all site activities, and to provide citizens with an opportunity to comment on project developments.
- To seek citizen input on site activities.
- To assure that the media is provided with accurate information in a timely manner.
- To keep public officials informed of ongoing activities at the site and the results of those activities.
- To enhance interaction among the community, state and local officials, providing opportunities to develop plans and strategies on future land uses for Lees Lane Landfill.
- To periodically reassess the community's concerns and to update this CRP accordingly.

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5.0 COMMUNITY RELATIONS TECHNIQUES

The following techniques are recommended to meet the stated objectives of this CRP. These techniques should be modified and updated by reassessing the community relations program periodically.

There are two points which should be noted. First, two groups which should be contacted regarding future work are the Riverside Gardens Community Council and the Toxic Substances Task Force of Jefferson County. As has been mentioned, the Riverside Gardens Community Council is an active citizens group which represents the residents who live in the vicinity of the landfill. This group's credibility appears to be very high. The Toxic Substances Task Force of Jefferson County is an organization which was organized in 1979 to establish a public participation program on toxic substances in the Louisville area. It has become an effective voice in the community, and maintained an active public awareness program focusing on toxic issues. Its membership represents a cross section of interests, including members from public agencies, institutions, private business, and concerned citizens. This group should prove a valuable resource for future community interaction.

A second point which needs to be noted is that all public meetings regarding the landfill should be held at the Riverside Baptist Church in Riverside Gardens. Citizens living in Riverside Gardens are reported to be very reluctant to attend meetings outside their neighborhood. Efforts to communicate with these residents by holding meetings outside of the community would be futile.

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Objectives

Techniques

To establish a working relationship with the Riverside Gardens Community Council and the Toxic Substances

Task Force.

Initiate telephone contacts with Jo Anne Schlatter and Pat Nightingale to orient them on the anticipated remedial investigation and to obtain information on their organizations' concerns and interests.

Prior to completion of the Remedial Investigation/Feasibility Study Work Plan, conduct public consultations with each group.

Conduct frequent telephone briefings with Jo Anne Schlatter and Pat Nightingale on ongoing site activities.

To assure that citizens are provided with accurate and complete information in a timely manner, and to provide citizens with an opportunity to comment on project development.

Issue fact sheets on site activities monthly and to correspond to project milestones.

Establish information repository at the Riverside Baptist Church, providing access to all relevant public documents.

Conduct formal public meetings to discuss project milestones and provide the community with the opportunity to comment.

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Objectives	Techniques			
To seek citizen input.	Conduct public consultations			
	with the Riverside Gardens Community			
	Council and the Toxic Substances			
	Task Force, seeking their input			
	on remedial plans.			
	Actively seek citizen input at formal			
	public meetings.			
To assure that the media is	Issue press releases to correspond			
provided with accurate informa-	to project milestones.			
tion in a timely manner.				
	Provide telephone contacts to answer			
	inquiries from the press.			
To keep public officials informed	Initiate frequent telephone briefings			
of ongoing activities.	(biweekly) to update key officials			
	on the status of the project.			
	Conduct briefings of public officials			
	on all project milestones, seeking			
	their input.			

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Objectives

<u>Techniques</u>

To enhance interaction among the community, state and local officials.

Recommend the formation of an official task force consisting of key public officials and concerned citizens to develop plans on land use development associated with Lees Lane Landfill.

Keep this task force apprised of all site activities and the results of these activities.

To reassess community concerns and update this CRP.

Revise this CRP periodically to more accurately reflect the concerns of the community.

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6.0 SCHEDULE OF ACTIVITIES

The following schedule of activities will need to be adjusted and updated to reflect project development. This schedule (Table 6-1) is recommended to meet the stated objectives:

TABLE 6-1
SCHEDULE OF ACTIVITIES

	Development of Remedial Investigation/ Feasibility Study Work Plan	Completion of Remedial Investigation/ Feasibility Study Work Plan	Remedial Investigation	Initiation of Feasibility Study	Completion of Feasibility Study	Total Number of Activities
Telephone Contacts	*	*	*	*	*	*
Public Consultations	2	2		2	2	8
Fact Sheets		1	8	1	3	13
Information Repository	#	*	*	*	*	*
Formal Public Meeting		1		1	1	3
Press Releases	1	1	3	1	1	7
Briefings	1	1	3	2	1	8
Responsiveness Summary	-	-	-	-	1	1

^{*}Indicates ongoing activity.

Numbers indicate frequency of activity.

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7.0 BUDGET AND STUFFING PLAN

The following list indicates the recommended community relation activities and an estimate of staff hours required to implement them.

Activity	Work Hours
Telephone Contacts (ongoing)	50
Public Consultations (8)	32
Fact Sheets (13)	208
Information Repository (ongoing)	16
Formal Public Meeting (3)	192
Press Releases (7)	28
Briefings (8)	128
Responsiveness Summary	<u>56</u>
Total Number of Hours	710

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8.0 INTERESTED PARTIES

Federal

U.S. Congressman: Romano L. Mazzoli Federal Building 600 Federal Place Louisville, Kentucky 40202 (502)582-5129

U.S. Senator: Wendell H. Ford Room 172C New Federal Building 600 Federal Place Louisville, Kentucky 40202 (502)582-6251

U.S. Senator: Walter Huddleston Room 136C 600 Federal Place Louisville, Kentucky 40202 (502)582-6304

Gordon Kenna Community Relations Coordinator U.S. Environmental Protection Agency 345 Courtland Street, N.E. Atlanta, Georgia 30308 (404)881-3004

Nancy Redgate Project Officer U.S. Environmental Protection Agency 345 Courtland Street, N.E. Atlanta, Georgia 30308 (404)881–2643

State

Governor: John Y. Brown, Jr. Capital of Kentucky Frankfort, Kentucky 40601 (502)564-2611

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State Representative: James Bernard Yates 2305 Thurman Drive Shively, Kentucky 402,16 (502)447-9453

State Senator: William Quinlan 8214 Seaforth Drive Louisville, Kentucky 40258 (502)937-3870

Barry Burrus
Kentucky Department of Natural Resources and Environmental Protection
Division of Waste Management
18 Reilly Road
Fort Boone Plaza
Frankfort, Kentucky 40601
(502)564-6716

John Brooks
Kentucky Department of Natural Resources and Environmental Protection
400 East Gray Street
Louisville, Kentucky 40202
(502)588-4254

William Horace Brown
Environmental Quality Commission
18 Reilly Road
Fort Boone Plaza
Frankfort, Kentucky 40601
(502)633-4754
(502)584-8251 (Louisville)

Local

Mitchel McConnell Jefferson County Judge Jefferson County Court House Louisville, Kentucky 40202 (502)581-6161

Charles Davis
Alex Talbott
Jefferson County Planning and Zoning
900 Fiscal Court
Louisville, Kentucky 40202
(502)581-6230

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Clark Bledsoe Louisville and Jefferson County Health Department 400 East Gray Street Louisville, Kentucky 40202 (502)587-3886

Dave Mansen
Jefferson County Judge's Office
Jefferson County Court House
Louisville, Kentucky 40202
(502)581-5941

Ed Robinson
Jefferson County Public Works Department
601 Fiscal Court Building
Louisville, Kentucky 40202
(502)581-5810

Jo Anne Schlatter Riverside Gardens Community Council 4423 Wilshire Avenue Louisville, Kentucky 40216 (502)447-6044

Pat Nightingale Toxic Substances Task Force of Jefferson County 401 Jarvis Lane Louisville, Kentucky 40207 (502)897-1077

Paul Baskette Community Development Office 710 West Main Street Louisville, Kentucky 40202

<u>Media</u>

Newspapers:

Courier-Journal
Louisville Times
525 West Broadway
Louisville, Kentucky 40202
(502)582-4011

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The Shively Newsweek 4639 Dixie Highway Louisville, Kentucky 40216 (502)448-4581

Radio:

WAMZ 520 West Chestnut Louisville, Kentucky (502)582-7200

WVEZ 558 Fourth Avenue Louisville, Kentucky (502)589-0107

WAKY 558 Fourth Avenue Louisville, Kentucky (502)589-6397

WAVG 725 South Floyd Louisville, Kentucky (502)587-0970

WHAS 520 West Chestnut Louisville, Kentucky (502)582-7200

WINN 3rd and Broadway Louisville, Kentucky (502)585-5148

WOBS 426 Bank New Albany, Indiana (502)944-7781

WTMT 162 West Broadway Louisville, Kentucky (502)583-6200

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WKJJ 307 West Muhammad Ali Boulevard Louisville, Kentucky (502)589-4800

WFIA 310 West Liberty Louisville, Kentucky (502)583-4811

WLOU 2549 South 3rd Louisville, Kentucky (502)571-1350

WWKK Fort Knox, Kentucky (502)583/2676

Television:

WAVE (NBC-Channel 3) 725 South Floyd Louisville, Kentucky (502)585-2201

WHAS (CBS-Channel 11) 520 West Chestnut Louisville, Kentucky (502)582-7220

WLKY (ABS-Channel 32) 1918 Mellwood Avenue Louisville, Kentucky (502)893-3671

Meeting Location:

Riverside Baptist Church Lees Lane Louisville, Kentucky (Accomodates approximately 200 people)